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Author

Tutino, Stefania

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A Spanish Canonist in Rome: Notes on the Career of Francisco Peña

Stefania Tutino

This essay examines Francisco Peña's contributions to post-Reformation political and theological thought in terms of his relationship with three of the Popes under whom he served during his long Roman career: Sixtus V, Clement VIII, and Paul V. Peña was one of the most powerful and influential men in the Roman Curia, and at the same time one of the most trusted defenders of the interests of the Spanish king. As a canonist, theologian, and political agent, Peña was involved in major political and theological debates of his time. Analyzing his Roman career in greater detail is therefore a useful means to understand the complexity and significance of the power dynamics within the Roman Curia, on the one hand, and the relationship between Spain and post-Reformation Rome on the other.

The existence of intimate ties between the Papacy and early modern Spain is something of a commonplace, reinforced by the many versions of the Black Legend linking the more explicitly and stereotypical "Counter-Reformation" features of post-Reformation Catholicism with the more repressive and stereotypical aspects of Spanish imperialism.¹ Aside from confessional and political polemics, however, the deep and complex links between Spain and Rome are an important element of the wider religious and political history of early modern Europe. As Thomas Dandeleet has argued, the encounter between early modern Rome and Spain was an encounter between two empires: Rome was the "old but vigorous remnant of its ancient imperial glory" and Spain was the "rising giant that would become the world's first modern global empire." Each of these empires had something that the other needed: Rome was "rich in religious authority, the artistic and intellectual trappings of imperial power, and historical memory"; Spain possessed "New World gold, a large navy, and Europe's best soldiers." The final result of this mutual exchange of religious, political, and cultural capital was the creation of "Spanish Rome," that is to say, the migration of Rome "into the orbit of Spain." Or, to put it differently, the encounter between the heir of the old Roman empire and the new Spanish global empire ended with the victory of the latter over the former: even though Spain never directly claimed any form of political control over Papal Rome, it succeeded in controlling Rome as "a de-facto colony" by exercising what Dandeleet has called an "informal imperialism."²

Focusing on Peña's Roman career allows us to appreciate the encounter between Spain and Rome from a different angle, which takes into account the perspective of the Papal spiritual and transnational empire. After the Council of Trent, the Papacy had emerged not only as the theological but also as the institutional center of the Church, meaning that the Pope was effectively the sovereign of both a territorial state and a transnational, universal, and spiritual community. These "two souls" of the Pope originated a series of important political and religious developments in post-Reformation Europe.³ On one level, the Pope was the head of a state in a

¹ For a recent and stimulating reconsideration of some of the religious, political, and rhetorical aspects of the Black Legend in a wider comparative context, see Margaret R. Greer, Walter D. Mignolo, and Maureen Quilligan, eds., *Rereading the Black Legend: the Discourses of Religious and Racial Difference in Renaissance Empires* (Chicago: University of Chicago Press, 2007).

² Thomas J. Dandeleet, *Spanish Rome 1500-1700* (New Haven: Yale University Press, 2001), 5-14. On the characteristics of the Spanish global empire in the context of early modern European empires, see also his more recent *The Renaissance of Empire in Early Modern Europe* (Cambridge: Cambridge University Press, 2014), 138-98.

³ Paolo Prodi, *The Papal Prince. One Body and Two Souls: The Papal Monarchy in Early Modern Europe*, trans. Susan Haskins (Cambridge: Cambridge University Press, 1987), 239-242.

political context characterized by the progressive strengthening of the power of territorial sovereigns in Europe. In order to firm up their political authority, post-Tridentine Popes began to centralize the Papal bureaucracy, control the Curia more directly, and assume a progressively more absolute kind of rule over their territories. On a different level, however, a sector of the intellectual and theological leadership of the Church believed that if the Pope wanted to maintain his supremacy over Catholic Christendom, then he needed to insist on his spiritual authority rather than on his political sovereignty. As a political sovereign the Pope was one of many European princes or heads of state, but as the leader of the Church he was the truly unique and supreme head of an empire of souls.⁴ From this perspective, Papal Rome was not simply the last incarnation of the old imperial glory or the conduit for conveying the artistic, historical, ideological, and literary dimensions of the Roman Empire to the modern political empires, but also a unique imperial experiment—an entity that was simultaneously a specific territorial state and a transnational, universal empire of souls.⁵ Exploring the relationship between the Papacy's spiritual empire and the political empire of Spain may therefore help us to understand in greater depth the complexity and the centrality of the interconnections between politics and religion in the history of early modern Europe.

Peña and Sixtus V

Francisco Peña was born in Villaroja de los Pinares, in the Zaragoza region, around 1540 and died in Rome in 1612. He studied theology in the recently founded University of Valencia and was granted the title of doctor *in utroque iure* in Bologna. Peña must have acquired a great reputation as a jurist, since Pope Gregory XIII called him to Rome to participate in the committee appointed to prepare the definitive edition of the *Corpus iuris canonici*. After the committee finished its work (the official Roman edition of the *Corpus* was published in 1582) Peña remained in Rome, where he spent the rest of his career. In 1588, thanks to the intercession of King Philip II of Spain, Peña became an *auditor* of the *Sacra Rota* and then, in 1604, its *decanus*. In addition to his institutional role at the *Rota*, he often served as a *consultor* of the Congregations of the Inquisition and Index, respectively.⁶ Between the end of the 1570s and the middle of the 1580s Peña published his best-known work, an edition of and commentary on the *Directorium Inquisitorum*. The *Directorium* was a manual for inquisitors written in the 1370s by Nicolás Eymerich, which Peña's commentary updated so as to make it one of the most influential textbooks for the members of the Roman Inquisition. The first edition of Peña's commentary was published in 1578; in 1585, Peña significantly modified and enlarged it. This last version was reprinted, with slight variations, several times through the beginning of the seventeenth century. It is largely thanks to this work that Peña became one of the most respected authorities in terms of Inquisitorial procedure in Rome during the second half of the sixteenth century.⁷

⁴ Stefania Tutino, *Empire of Souls: Robert Bellarmine and the Christian Commonwealth* (Oxford: Oxford University Press, 2010).

⁵ On the crucial role of Papal Rome in the Renaissance revival of the Roman Empire, see Dandelet, *The Renaissance of Empire*, 50-71.

⁶ For an excellent introduction to Peña's life and career, see Vincenzo Lavenia's entry "Francisco Peña" in the *Dizionario storico dell'Inquisizione*, ed. Adriano Prosperi, Vincenzo Lavenia, and John Tedeschi (Pisa: Edizioni della Normale, 2010), 3:1186-89.

⁷ On Peña's manual and its importance in the history of the Roman Inquisition see, in addition to Lavenia's already-mentioned entry, Agostino Borromeo, "A proposito del *Directorium Inquisitorum* di Nicolás Eymerich e delle sue edizioni cinquecentesche," *Critica storica* 20 (1983): 499-547; John Tedeschi, "Inquisitorial Sources and Their

Even though Peña's commentary, unlike his later works, did not directly discuss the question of the nature of the Pope's spiritual and political authority and its relationship to the authority of the King of Spain or other political sovereigns, we see from this text that Peña was already interested in these issues and was progressively tightening his views on them. In the context of a discussion concerning the need for a secular authority to assist religious leaders in exterminating heresies, Eymerich had made a brief reference to the *Unam Sanctam* by Boniface VIII. Peña's commentary on this section in his 1578 edition briefly touched upon the passage concerning the two swords of the Pope, specifying that "[the Pope] has the temporal sword for the sake of the spiritual sword, since kingdoms are never changed by the Pontiff unless because of issues concerning the faith."⁸ After this gloss, Peña referred the reader who might have wanted to know more about the meaning of the double swords to Domingo de Soto, a relatively moderate assertor of the authority of the Pope in temporal matters.

During the 1580s, Peña evidently had the opportunity to rethink the issue and to assume a more pro-Papalist position, and in 1585—the first year of the pontificate of Sixtus V—he decided to change his commentary on the *Unam Sanctam*. He deleted the phrase about the Pope holding the temporal sword for the sake of the spiritual sword, replacing it with the following phrase: "it is not allowed to say that the Roman Pontiff does not have both swords, or both jurisdictions, that is, the spiritual and the temporal." While in the 1578 edition Soto was the only author quoted, in 1585 the list became much longer: it started with the canonists who commented on the *Unam Sanctam* and also included ultra-Papalist authors such as Agostino Trionfo. There were also theorists who supported limiting the authority of the Pope, such as the aforementioned Domingo de Soto, Juan de Torquemada, and Martín de Azpilcueta (Doctor Navarrus), but those names appeared with a caveat: "I shall warn the reader here that it is not easy to understand the opinion of the above-mentioned authors or other authors who discuss this issue, and I have not referred to them with the intention of approving them. Rather, it is necessary to have discernment."⁹

Uses" and "The Organization and Procedures of the Roman Inquisition: A Sketch," in Id., *The Prosecution of Heresy: Collected Studies on the Inquisition in Early Modern Italy* (Binghamton, NY: Medieval and Renaissance Texts and Studies, 1991), 47-88 and 127-203, respectively; and Andrea Errera, *Processus in causa fidei: l'evoluzione dei manuali inquisitoriali nei secoli XVI-XVIII e il manuale inedito di un inquisitore perugino* (Bologna: Monduzzi, 2000), esp. 118-26. On Peña's role in the Inquisition, see Jane K. Wickersham, *Rituals of Prosecution: the Roman Inquisition and the Prosecution of Philo-Protestants in Sixteenth-Century Italy* (Toronto: University of Toronto Press, 2012) and Thomas F. Mayer, *The Roman Inquisition: a Papal Bureaucracy and its Laws in the Age of Galileo* (Philadelphia: University of Pennsylvania Press, 2013). On Peña's views on witchcraft in the context of his expertise on Inquisitorial procedures, see also Matteo Duni, "The Editor as Inquisitor: Francisco Peña and the Question of Witchcraft in the Late Sixteenth Century," in *Renaissance Studies in Honor of Joseph Connors*, ed. Machtelt Israëls and Louis Waldman (Florence: Villa I Tatti - The Harvard University Center for Italian Renaissance Studies, 2013), 306-12.

⁸ "Iam quomodo sit intelligendum Papam habere utrumque gladium docet Sotus [...] Gladium enim temporalem habet in ordine ad spirituale, quare nunquam nisi ob fidei causam Regna per Pontificem mutata sunt." Francisco Peña, *Directorium Inquisitorium* (Rome: in aedibus pop.rom., 1578), 8-9.

⁹ "Non est itaque fas dicere Romanum Pontificem non habere utrumque gladium, sive utramque iurisdictionem videlicet spiritualem & temporalem. Caeterum cum hic articulus de duplici Romani Pontificis iurisdictione sit late patens: nec nostrae brevitatis institutum eum hoc loco fusius explicari permittat, satis videbimur fecisse, si auctores & loca indicaverimus, unde eius notitia haberi possit [...] Admonebo tamen hic, non esse facile omnium auctorum praecitatorum, aut aliorum de hac re disserentium, recipiendam sententiam (neque enim eo animo eos retuli ut approbarem) sed iudicio opus esse." Francisco Peña, *Directorium Inquisitorium* (Venice: apud Marcum Antonium Zalterium, 1607), 35-36.

Peña's newly sharpened pro-Papalist position pleased Sixtus V immensely. Sixtus was in fact especially invested in the project of consolidating the political, juridical, and administrative structure of the Papacy as a secular state, and of strengthening the role of the Pope as an absolute sovereign; among other things, he radically restructured the Curia, re-organizing the number and functions of the Congregations, and reformed the College of Cardinals.¹⁰ Sixtus' efforts to bolster the political, theological, and ecclesiological supremacy of the Pope put him at odds with many high-profile members of the Catholic Church, who looked with suspicion upon the Pope's attempt to gain such absolute control over the Church. Among his perceived enemies, Sixtus singled out the Society of Jesus, which was institutionally, intellectually, and culturally unique with respect to other Catholic religious Orders and which enjoyed a relative independence from the Papacy. Sixtus was especially troubled by the Jesuits' principle of "blind obedience" toward the General of the Society, which he thought to be a potentially dangerous way of increasing the authority of the General at the expense of the authority of the Pope. In order to curb the excessive theological freedom and authority of the Jesuits, in 1587 Sixtus revoked the privileges of the Jesuits to absolve manifest heretics *in foro conscientiae*, thereby strengthening the powers of the Inquisition, which was controlled directly by the Pope.¹¹ Moreover, in November of 1588 he formed a committee in charge of examining the entire *Constitutiones* of the Society and screening them for any doctrinal errors.¹²

Sixtus' hostility toward the Jesuits also manifested itself in another high-profile case involving one of the greatest theologians of the Society, Robert Bellarmine. Bellarmine was the theorist of the *potestas indirecta*, which significantly limited the Pope's direct authority in temporal matters while amplifying his supreme spiritual authority. Sixtus V did not appreciate what he saw as Bellarmine's attempt to downsize the *plenitudo potestatis* of the Pope: allegedly instigated by none other than Francisco Peña, the Pope went so far as to propose putting Bellarmine's work on the Index of Prohibited Books. Only Sixtus' premature death prevented the Sistine Index, which included Bellarmine, from being issued, ratified, and enforced.¹³

Sixtus' hostility toward the Society of Jesus, and Bellarmine in particular, was motivated by theological and ecclesiological reasons, since the Pope thought that both the doctrine of "blind obedience" and the doctrine of the *potestas indirecta* had the effect of limiting the authority of the Pope over members of the Church as well as political leaders. Peña shared Sixtus' antipathy toward the Society both because he shared the same theological view of the Pope as the absolute political and spiritual sovereign and because of his distinctive, pro-Spanish political position. In

¹⁰ A good place to start for a study of the institutional, legal, and juridical changes to the Curia under Sixtus V is Prodi, *The Papal Prince*, 59ff.

¹¹ The relevant documents can be found in the Archivio della Congregazione per la Dottrina della Fede (hereafter ACDF), St St M 3-g. For more details on the context of such action on the part of the Pope, see Adriano Prosperi, *Tribunali della coscienza: inquisitori, confessori, missionari* (Turin: Einaudi, 1996), 226ff., and Elena Brambilla, *Alle origini del Sant'Uffizio: penitenza, confessione e giustizia spirituale dal medioevo al XVI secolo* (Bologna: Il Mulino, 2000).

¹² The decree with which Sixtus ordered the *Constitutiones* of the Society to be examined secretly by two theologians (one a member of the Society of Jesus) can be found in ACDF, St St M 3-g, fol. 552r. More documents concerning the question of "blind obedience" can be found in ACDF, St St I 5-b. Additional details on the institutional contrasts between Sixtus and the Society of Jesus can be found in Silvia Mostaccio, "Gerarchie dell'obbedienza e contrasti istituzionali nella Compagnia di Gesù all'epoca di Sisto V," *Rivista di storia del cristianesimo* 1, no. 1 (2004): 109-27.

¹³ On this affair see Stefania Tutino, *Empire of Souls*, ch. 2; Peter Godman, *The Saint as Censor: Robert Bellarmine between Inquisition and Index* (Leiden: Brill, 2000), 132-36; and Vittorio Frajese, *Nascita dell'Indice: la censura ecclesiastica dal Rinascimento alla Controriforma* (Brescia: Morcelliana, 2006), 132.

the late 1580s, the Roman leadership of the Society of Jesus was in fact undergoing an internal attack on the part of the Spanish Jesuits who, after having lost the battle to appoint a Spanish General, orchestrated a series of actions aimed at gaining a greater degree of freedom and independence from Rome.¹⁴

This “imperialist” policy on the part of the Spanish Jesuits needs to be considered in the context of Philip II’s efforts to increase and consolidate, with Sixtus’s favor and support, the political reach of the Spanish Catholic empire. In the late 1580s, Philip II was not only at war against the United Provinces in the Netherlands, but he also sent the Invincible Armada against England. The Spanish expedition against England was especially welcomed in the Roman Curia: since the beginning of his Papacy, Sixtus had repeatedly urged Philip to proceed with the invasion, for which he personally pledged one million *scudi*. Finally, Peña’s stern defense of the interests of Spain and of its sovereign could not but resonate with Sixtus’ policy toward France: in 1585 Sixtus excommunicated Henry IV of Navarre and thus deprived him of any rights over the French kingdom. Philip II vigorously supported and approved the Pope’s decision, and in the late 1580s he sent soldiers and resources to France in support of the Catholic League against Henry. The 1588 canonization of the fifteenth-century Spanish Franciscan Diego de Alcalá as the first post-Reformation saint represented a public display and celebration of the alliance between Sixtus V and Philip II, based on their shared militaristic and militant attitude in defense of the Catholic Church against its internal and external enemies.¹⁵

In sum, a series of complex geopolitical and theological ties created and solidified the bond between Peña and Sixtus. As a theologian and an ardent advocate of the Spanish empire, Peña saw Sixtus as a powerful ally of Philip II against other European powers such as France, which might have threatened Spanish political supremacy over the Catholic Christendom. In this context, Peña thought that defending the absolute political and religious authority of the Pope would bolster, not threaten, the power of the Spanish king. While Sixtus saw the Society of Jesus as a potentially dangerous theological enemy because of the Jesuits’ theological efforts to limit the Pope’s political authority and because of their distinctive theological and ecclesiological status, Peña also saw the Society as an enemy for both theological and political reasons, given the conflict between the Roman hierarchy of the Society and the Spanish Jesuits. The convergence of interests between Peña and Sixtus involved a different set of geopolitical scales and intellectual dimensions which complicate the significance of concepts such as imperial authority, territorial sovereignty, and spiritual supremacy. Because of the French political situation, Peña thought that the interests of Spanish imperialism were served better by strengthening the political, rather than just theological, role of a Pope whose foreign policy was distinctively anti-French and whose own politico-theological project highlighted, *pace* Bellarmine and the other theorists of the *potestas indirecta*, his authority as a territorial sovereign as well as his political and spiritual authority as an emperor of souls. In this respect, Peña did not see the Pope in competition with, or as an adversary of, Philip II’s imperialist projects, but rather as an important ally against all political and theological enemies who, like Bellarmine, sought to

¹⁴ For the complex situation of the Spanish Jesuits in those years, the fundamental work to consult is still Antonio Astráin, *Historia de la Compañía de Jesús en la Asistencia de España: Mercurian-Aquaviva* (Madrid: Razón y Fe, 1909).

¹⁵ On this episode and its significance for the Spanish-Roman relationship, see Dandele, *Spanish Rome*, 170-78. Peña, as auditor of the Sacra Rota, was instrumental in seeing through Diego’s canonization and wrote an account of the process, *De vita, miraculis, et actis canonizationis Sancti Didaci*, published in Rome in 1589. On Peña’s role in the canonization of Diego de Alcalá and the subsequent canonization of Raymundo de Peñafort (the great thirteenth-century canon law scholar canonized by Clement VIII in 1601), see Dandele, *Spanish Rome*, 171-72 and 179.

highlight the spiritual supremacy of the Pope at the expense of the Pope's political authority, and who, like the Roman hierarchy of the Society of Jesus, were in conflict with the interest of the Spanish "national" faction.

Given this web of concordant theo-political objectives, Peña seemed destined to shine under Sixtus V. Unfortunately for Peña, however, Sixtus' pontificate ended early: Sixtus died in 1590 (only five years after he became Pope). After the short tenures of Urban VII, Gregory XIV, and Innocent IX, in 1592 Clement VIII ascended to St. Peter's throne. Peña's fortunes were about to change.

Peña and Clement VIII

The European political scene was shifting rather dramatically; under Clement VIII, the theological debates over the spiritual and temporal authority of the Pope assumed a novel dimension. Indeed, during the pontificate of Clement VIII, Peña suffered the most dramatic setback of his career. This clash was precipitated by developments in the French political situation. After being excommunicated by Sixtus V in 1593, Henry of Navarre converted to Catholicism and sought a formal reconciliation with the Holy See, a step which he needed in order for the ban of excommunication to be lifted, and consequently in order for the legitimacy of his sovereignty to be fully restored. While Clement was inclined to meet Henry IV's demands, Peña fiercely opposed any form of rapprochement between the French sovereign and the Holy See.

Peña had been involved in the matter of Henry's conversion and his reconciliation with Rome since the second half of the 1590s. In 1594 the Parlement of Paris had issued an *arrêt* by which it declared Jean Chastel, the Catholic who had attempted to murder Henry of Navarre, guilty of *laesa maiestas* and thus condemned to death. In 1595, Peña published a text entitled *Censura* against the *arrêt* of the Parlement of Paris and in defense of the legitimacy of Chastel's attempted murder. Peña's arguments started from the classical distinction in Catholic theology between two types of tyrants: the first included rulers whose title to reign was illegitimate, and the second included rulers who, though legitimate, were nevertheless evil princes. The *arrêt* of the Parlement of Paris condemned Chastel's act because it was directed against a legitimate king: even though some of his subjects might have considered him an evil sovereign, both the Catholic Church and the laws of the state explicitly prohibited killing legitimate princes, regardless of how evil their rule was. Against this justification, Peña argued that Henry IV's excommunication had made his claim to the throne illegitimate, and therefore the French king should have been considered a tyrant of the first kind; thus, killing him was not absolutely prohibited by the laws of state and Church. In addition, Henry's excommunication effectively ratified his inclusion among the heretics, who were to be eliminated. For these reasons, Peña concluded that the attempted murder was not illegal and indeed should have been considered a pious action done with the intention of ridding the Church of a dangerous heretic. Chastel was therefore innocent of any wrongdoing and should not have been condemned.¹⁶

¹⁶ See Francisco Peña, *Censura in arrestum parlamentare Curiae criminalis parisiensis* (Rome: apud Nicolaum Mutium, 1595). On this text see also Vittorio Frajese, "Regno ecclesiastico e stato moderno: la polemica fra Francisco Peña e Roberto Bellarmino sull'essenzia dei clerici," *Annali dell'Istituto storico italo-germanico in Trento* 14 (1988): 282-90. The question of tyrannicide was crucial in post-Reformation Catholic theology and political theory, and the existing literature on it is vast. For a general overview, see Mario Turchetti, *Tyrannie et tyrannicide de l'Antiquité à nos jours* (Paris: Presses Universitaires de France, 2001).

Peña's position was in line with the Spanish position, which supported and approved Henry IV's excommunication, and absolutely opposed any form of rehabilitation for the French king. Clement VIII, however, was inclined to pardon the French sovereign, with whom he had a quite amicable relationship, and whose conversion he personally and actively fostered. The Pope was also inclined to defend French interests over Spanish ones, because he thought that a strong French Catholic kingdom would rebalance the general European political equilibrium by preventing excessive political supremacy on Spain's part.¹⁷ In fact, Clement received tangible signs of gratitude from Henry in return for his support. In 1597, the Duke of Ferrara died childless and Clement wanted to annex the dukedom to the territories of the Holy See. Spain opposed what it saw as an undue enlargement of the Pope's territory, but the French king sided with Clement and sent troops to Ferrara in order to intimidate the city, which eventually submitted to the Pope.

In addition, the politico-religious situation in England contributed to the divergence of interests between the Pope and the king of Spain. English Catholics had never ceased to hope for the return of their country to Catholicism, and by the second half of the 1590s there was much discussion in English and European Catholic circles on how to plan for what many saw as the imminent succession to Elizabeth. The most militant faction of English Catholics was pushing for a direct Spanish intervention against the English Protestant regime by highlighting the dynastic and religious rights that Philip II could claim over the English throne. Philip, however, was financially drained by the Dutch revolt and the war with France, and was seeking to cut his losses by negotiating a peace treaty under the aegis of the Pope; it was signed in 1598 in Vervins. In this context, Philip had no interest in taking an active role in England and was clearly disengaging himself from the English Catholic cause. Clement VIII, for his part, was trying to aid the English Catholic community by going the Scottish, rather than the Spanish, route, i.e. by lobbying for the conversion of James Stuart, heir to the English throne, to the religion of his late mother.¹⁸

In sum, over the course of the 1590s the Pope's political sympathies were decidedly moving away from Spain and toward France. When it became clear that Clement VIII had decided to go ahead and formally pardon Henry of Navarre by lifting the ban of excommunication, Peña and the Spanish faction in Rome made one last attempt to avoid the pacification between Paris and Rome. In the summer of 1595, Peña gave the Pope a memorandum in which he argued forcefully that the French king should not have been pardoned. Peña's text, entitled *De veris et falsis remediis*, claimed that Henry's conversion was insincere and that the king remained a heretic. As proof, Peña argued that, even after his conversion, Henry IV continued to manifest a certain sympathy toward his Protestant subjects and on several occasions favored and promoted a measure of religious liberty in France. Even assuming that the king was no longer a Protestant, he certainly behaved as a *politique*, which, for Peña, was a type of heresy. When dealing with matters of heresy, neither reason of state nor "reason of Church" should prevail, and therefore the Pope should never refrain from persecuting heretics, even if by pardoning one of them he could have maintained peace in the Catholic world.¹⁹

¹⁷ On the political background to Clement's pardon of Henry, see Michael Wolfe, *The Conversion of Henri IV: Politics, Power, and Religious Belief in Early Modern France* (Cambridge, MA: Harvard University Press, 1993), 159-87.

¹⁸ For more details on the European dimensions of the debate within the English Catholic community at the turn of the seventeenth century, see Stefania Tutino, "The Political Thought of Robert Persons's *Conference* in Continental Context," *The Historical Journal* 52, no.1 (2009): 43-62.

¹⁹ Peña's work, whose complete title was *De veris et falsis remediis christianae religionis instaurandae et catholicos*

Clement VIII did not approve of Peña's text for both political and theological reasons. From a political perspective, the Pope was now convinced of the necessity of establishing a peaceful relationship between France and the Holy See, and he therefore did not appreciate such a strong anti-French reaction on the part of someone who, despite being Spanish, was nevertheless a member of the Papal Curia working directly under the Pope. From a theological perspective, Peña's position denied any room for exception in cases of heresy, which effectively denied the Pope the power to rehabilitate a heretic whenever the Pope thought it appropriate or expedient. Clement, therefore, could not approve what he saw as a dangerous limitation to his authority. He passed on Peña's *De veris et falsis remediis* to Cesare Baronio (the greatest Catholic ecclesiastical historian of his time and a supporter of the Pope's supremacy) and other cardinals already favorable to a peaceful resolution of the French affair, asking them to write a censure of the text. Baronio and his colleagues reported to the Pope that Peña's work was not only doctrinally erroneous, but also verged dangerously on heresy, and thus proposed to ban the work and formally condemn its author. The Pope took this as an opportunity to silence Peña. Although he decided not to open any formal proceeding against the allegedly heretical propositions contained in his text, Clement rejected Peña's arguments against Henry's pardon and sidelined him for promotion to a cardinalate, which represented a significant blow to Peña's career.²⁰ Indeed, as Thomas Dandeleet writes, Peña was so "upset" by the outcome of this affair that he asked the king for permission to leave Rome and return to Spain. The king, however, refused to grant this permission precisely because he needed Peña's influence in the Roman Curia.²¹

Another clash between the Papacy and the Spanish kingdom began at the very end of Clement's pontificate; Peña was involved, and took advantage of it, in order to exact revenge on Cesare Baronio. In 1604, as he was working on his *Annales Ecclesiastici*, Baronio decided to discuss an important document, allegedly issued by Pope Urban II in 1098, with which the Pope had ceded the right to rule over the Sicilian Church to Count Roger I of Sicily in recognition of Roger's protection of the Christians from Muslim attacks. The Spanish Crown considered this document as the official seal of its jurisdictional right to rule over Sicily and its Church (the so-called *Monarchia Sicula*), while the Papacy did not approve of the control of the Spanish sovereigns over the Sicilian Church. Baronio decided to analyze this document and its implications, devoting a special section of the eleventh volume of the *Annales* to the question of the *Monarchia Sicula*. In this text, Baronio first stated that the document could be spurious, because there was evidence pointing to the anti-Pope Anacletus II as the real author of the document. Even assuming that Urban II was the real author of the document, Baronio added, it was certain that the Pope did not mean to relinquish control over the Spanish Church to the Spanish king, but only to appoint the king as a sort of representative of the Pope. Either way, Baronio claimed that the governance of the Sicilian Church could not be legitimately attributed to the secular ruler, because the only legitimate authority over the Church was the Pope.²²

conservandi, remained a manuscript. A copy of it can be found in the Archivio Segreto Vaticano (hereafter ASV), Borghese II, 450; this manuscript also includes Baronio's censures to this work. See in particular fols. 87rff. for Peña's arguments that the Church could not make any exception for any reason when dealing with heretics, which especially irritated the Pope. On this text, see also Frajese, "Regno ecclesiastico e stato moderno," 290-98.

²⁰ *Ibid.*, 293-98.

²¹ Dandeleet, *Spanish Rome*, 143-44.

²² For a general summary on the controversy in the context of Baronio's relationship with the Spanish government, see Stefano Zen, *Baronio storico: Controriforma e crisi del metodo umanistico* (Naples: Vivarium, 1994), 279-86. For an analysis of this controversy in the context of the relationship between the Spanish Crown and the Papal Curia, see Agostino Borromeo, "The Crown and the Church in Spanish Italy in the Reigns of Philip II and Philip

In the fall of 1604, as Baronio finished a first draft of this section, he realized that his position might provoke a Spanish reaction, and he therefore consulted his superior, Antonio Talpa.²³ Talpa noted that the anti-Spanish implications of Baronio's arguments could be dangerous and suggested that Baronio tone down his rhetoric. Baronio also shared the pertinent section with the Pope and other cardinals, who approved the publication of the text but likewise suggested some small modifications. Baronio was willing to make the modifications but did not want to change the substance of his arguments: he thought that his historical analysis was sound and knew that he could count on the Pope's support. Baronio was also aware that the Spanish cardinals would retaliate against him by refusing to vote for him in the next Conclave (because of Clement's advanced age and failing health, everybody thought that the election of a new Pope to be imminent, and Baronio's name was circulating as a strong possible candidate). Nevertheless, he was willing to accept the consequences for the sake of what he thought was a theologically sound and historically accurate defense of the authority of the Pope.²⁴

The volume was printed in early 1605, and Clement VIII died at the beginning of March of that same year. Once the book came out, the reaction was indeed violent. The Spanish ambassador in Rome alerted Philip III and the Duke of Feria, who was the viceroy of Sicily; both were quick and assertive in their complaints against Baronio's text. Even though Baronio tried to soften the blow by writing an official letter to Philip III to reassure him of his respect and devotion, Spanish political leaders attacked Baronio's arguments and credibility through diplomatic channels as well as by mobilizing the Hispanophile cardinals in Rome, including Ascanio Colonna (formerly a professor of canon law in Salamanca, whose family had deep ties with the Spanish Crown).²⁵ Meanwhile, as rumors were spreading that Baronio's treatise on the *Monarchia Sicula* was composed under pressure from the French in order to attack the Spanish Crown, Baronio continued to defend himself by insisting on the accuracy of his historical investigation and on the necessity of honoring the memory of Clement VIII, who supported and

III," in *Spain in Italy: Politics, Society, and Religion 1500-1700*, ed. Thomas J. Dandeleet and John A. Marino (Leiden: Brill, 2007), 517-54.

²³ "Per gratia del Signore [l'undecimo tomo] è finito questo settembre et hora si attende all'Indice. Mi è parso mandargli alcuni fogli di essi nel qual si tratta dell'epistola di Urbano papa per occasione della quale si rigetta la monarchia di Sicilia, acciò veda, giudichi e rescriva il suo parere prima che eschi fora." Baronio to Talpa, Frascati, 9 October 1604, in Mario Borrelli, *Le testimonianze baroniane dell'Oratorio di Napoli* (Naples: Lithorapid, 1965), letter no. 864.

²⁴ "Hora circa della scrittura sopra la Monarchia di Sicilia [...] mi è parso dover trattarla con ogni studio, & arte, e con tal stile aculeato, come che così convenghi ad un Cardinale della S. Chiesa, a chi tocchi ciò per officio a non portar fra denti, con tutto ciò per compiacere al giuditio di V.R. ho mutato il principio, & alcuna cosa di esse di dentro, acciò sempre sia riservata la riverenza, qual si deve alla Maestà Regia: deve sapere di più, che l'ha vista S. Beatitudine, alla quale è parso, che si devva stampare mitigata alquanto, come ho detto, il medesimo è parso ad alcuni Illustrissimi, il che fo molto volentieri, sperando se non altro da questo riceverne utile non mediocre per salute dell'anima mia di conservarmi in grado umile, dando tal occasione a Spagnoli di mostrarmesi contrarii nelli Conclavi, se pur vi arriveremo; il che non è di poca importanza, ma questo rispetto sia tenuto secreto da V.R. alla quale ho voluto mandare detta scrittura per intendere, come possa essere ricevuta, e in tutto il Regno, non per distogliermi dalla promulgatione di essa, quale è con volontà di S. Santità." Baronio to Talpa, Rome, 7 November 1604, in *Venerabilis Caesaris Baronii: Epistolae et Opuscula*, ed. Raymundus Albericius (Rome: Ex typographia Komarek, 1759-1770), 2: letter no. 176.

²⁵ Baronio's letter to Philip III is also printed in *Ibid.*, letter no. 182. The heated epistolary debate between Colonna and Baronio can also be found in *Ibid.*, letters no. 170 and 171. On the diplomatic ties between the Colonna family and the Spanish Crown, see Thomas J. Dandeleet, "Between Courts: the Colonna Agents in Italy and Iberia, 1555-1600," in *Your Humble Servant: Agents in Early Modern Europe*, ed. Hans Cools, Marika Keblusek, and Badeloch Noldus (Hilversum: Uitgeverij Verloren, 2006), 29-38.

approved the publication of the text.²⁶ Despite the strong reactions of the Spanish faction, no concrete action was taken against Baronio's text in the years immediately following its publication. The controversy picked up again in 1610, after Baronio's text on the *Monarchia Sicula* was reprinted in Paris. On this occasion, Philip III was not willing to ignore what he thought was a blatant attempt on France's part to jeopardize the legitimacy of his rule in Sicily, and in the fall of 1610 he issued an edict in which he banned the eleventh volume of the *Annales* from all Spanish territories.

Throughout those years, certain interests in Rome were assiduously working behind the scenes to make sure that the Spanish king did not let the controversy sink into oblivion. One of these was none other than Francisco Peña; in the Vatican Library, we have a folder containing Peña's manuscript notes on the historical and juridical aspects of the controversy over the *Monarchia Sicula*, his annotations on books and pamphlets published on the matter, and a draft of Philip III's 1610 edict prohibiting Baronio's volume.²⁷ Given Peña's political position and his personal history with Baronio and with Clement VIII, it is clear why Peña would insist on highlighting the dangerous implications of Baronio's text for the Spanish interests, and why he would want to keep the Spanish Crown alert to this issue. Even though there is no evidence that Peña played any direct role in the issuing of the 1610 edict, it is highly probable that he contributed to conceptualizing and drafting it, and he certainly supported and fostered its promulgation.

Despite the Spanish ban on Baronio's text, the controversy over the *Monarchia Sicula* did not have lasting consequences for any of the parties involved. The reputation and credibility of Baronio's *Annales* did not suffer any sizable disadvantage from this incident, the Spanish Crown never saw its rule over Sicily significantly challenged, and the Papacy had no interest in fostering a controversy, which could bring no actual positive resolution. Peña, on his part, gained very little from his involvement in this affair, even though his position in Rome improved considerably under the new Pope Paul V, as we will see shortly.

While Peña's strong position against Henry's reconciliation with the Papacy and Baronio's challenges to the Spanish rule in Sicily were certainly motivated by reasons of "national" interest, it would be wrong to reduce them to a Spanish partisan policy. Peña was not only a staunch defender of the king of Spain, but also of the Pope's supreme political and theological rule over the Church. While under Sixtus, Peña thought that it was possible to combine the interests of the Spanish empire with those of the spiritual empire of the Church and the territorial state of the Pope: under Clement, he had to realize that this was not always easy or possible. The clash between Peña and Clement, in other words, was not simply the result of the conflict between Spain and France and their respective status in the European political landscape. Rather, their clash was the expression of a complex interplay of larger and deeper conflicts: the conflict between the political and spiritual role of the Pope, the conflict over the theological and ecclesiological nature and scope of Papal authority, and the conflict between territorial sovereignty and spiritual hegemony. All these conflicts, in turn, were the symptoms of and catalyst for the development of complex webs of different and conflicting identities. Peña was both a Spanish political agent and a Papalist canonist; those two identities intertwined in a

²⁶ An interesting document on this issue is the detailed report written up by Baronio's fellow Oratorian priest and erudite figure, Giovanni Severano, in the spring of 1605, which can be found in the Biblioteca Vallicelliana, Ms. Q 47, fols. 91r-93r.

²⁷ Biblioteca Apostolica Vaticana (hereafter BAV), Vat. Lat. 5435.

complex fashion in a context in which the notions of authority and obedience were multidimensional in nature, as well as conceptually and geographically fluid.

Peña and Paul V

After the difficult period of the pontificate of Clement VIII, times were going to get much better for Peña with Paul V, whose foreign policy was not as Francophile as that of his predecessor, and whose militant Catholicism made him appreciate Peña's steadfast attitude against the enemies of the faith and in support of the Vicar of Christ. This affinity between them became immediately relevant during the crisis of the Venetian *Interdetto*. Between 1604 and 1605, the Senate of the Republic of Venice issued two laws forbidding the building of churches and the alienation of ecclesiastical property without the Senate's approval, and in the fall of 1605 it issued two decrees ordering that two clergymen accused of common crimes be put on trial in front of the secular magistrate. Paul V, who had just been elected Pope after the twenty-seven day Papacy of Leo XI, decided to issue an ultimatum to Venice at the end of 1605: if the Republic did not repeal these laws, the Church of Rome would excommunicate the Republic and put it under an interdict. The Republic refused to repeal its laws, and Paul fulminated the excommunication in the spring of 1606. The *Interdetto* remained in effect for one year, but the battle of pamphlets between the defenders of Venice and the defenders of the Pope lasted for much longer, and grew to become a European-wide debate.

In those years, Paul considered Peña one of his most trusted advisors: he passed on to Peña the writings of the defenders of Venice and repeatedly sought his opinion on whether a military solution against Venice was juridically feasible or whether a peaceful solution, especially favored by the French, was to be preferred. Throughout the crisis, Peña continued to oppose any form of compromise between Venice and Rome, instead pushing for a Spanish-friendly policy of intransigence against French requests for peace.²⁸ Peña also participated in the battle of pamphlets between Rome and Venice with a short treatise in reply to the *Risposta di un dottore di teologia* by Giovanni Marsilio, a theologian and collaborator of Paolo Sarpi's.²⁹ Peña's text, entitled *Assertio regni Christi*, was a brief pamphlet whose main thesis was that since Giovanni Marsilio argued that the political government was independent from the Pope, he was truly another Marsilius of Padua. According to Peña, Giovanni Marsilio and Marsilius of Padua had made the same mistake as that of all the defenders of Venice, namely to assume that the kingdom of Christ was purely spiritual.³⁰ Against both Marsilio and Marsilius, Peña argued that Christ was a temporal sovereign while He lived on earth, and indeed the supreme temporal sovereign as well as the supreme spiritual sovereign. Thus Christ was not subject in any way to any temporal ruler, just as His kingdom, that is, His Church, was not subject in any way to any temporal power, and was instead a perfect spiritual and political kingdom.³¹

Peña more fully developed this line of argument in his work entitled *De universali dominio*, written in 1608 but published only in 1611, the year before his death.³² In this work Peña argued

²⁸ For an outlook on Peña's role during the *Interdetto*, see Frajese, "Regno ecclesiastico e stato moderno," 298ff.

²⁹ On Marsilio's profile and his role in the debate over the *Interdetto*, see William J. Bouwsma, *Venice and the Defense of Republican Liberty: Renaissance Values in the Age of the Counter-Reformation* (Berkeley: University of California Press, 1968), 398ff. *passim*.

³⁰ Peña, *Assertio regni Christi*, in BAV, Vat. Lat. 7194, fol. 6v.

³¹ *Ibid.*, fols. 11v-13v.

³² The book was written in 1608 and two manuscript copies of it can be found in BAV, Vat. Lat. 7001. It was published with the title *De regno Christi* in Rome (apud Stephanum Paulinum) in 1611.

that Christ was indeed the supreme temporal and spiritual king, and that His kingdom was the Church. Such a kingdom, however, could not be simply spiritual. Borrowing and refining Bartolus of Sassoferrato's definition, Peña wrote that every kingdom, in order to be such, must have a dominion, that is, "the right to dispose of a [...] corporeal thing, since the domination of incorporeal things is not properly dominion."³³ There are three kinds of dominion: the *dominium directum*, which is the dominion an owner has whenever she is in possession of something or somebody; the *dominium utile*, which is the dominion of vassals, who do not own the land but enjoy its fruits; and the *dominium iurisdictionis*, that is, the right to obtain obedience from subjects in exchange for protecting them, without having any right of possessing the subjects' personal goods. For Peña, God was entitled to all three kinds of dominion, because He created every spiritual and corporal being. Hence, Christ's dominion was also a perfect dominion: He exercised it over all the kings and princes of the earth and passed it on to the Church and its leader, i.e. the Pope. The temporal princes, by contrast, could have only the third kind, the *dominium iurisdictionis*, granted by Christ, who simply delegated it to the temporal rulers as His vassals.³⁴ In this framework, then, Venice had no business claiming to have jurisdiction over persons and matters of the Church, since the Church did not owe its special status to anyone but Christ. Consequently, and more importantly, in Peña's argument it is the clergy and the Pope who properly "own" everything, and indeed it is the Church, as the holder of the true and direct political dominion, that grants to princes and kings the authority to exercise their *dominium iurisdictionis*.³⁵

In the cases of both texts, Peña's arguments seemed aimed not only against Paolo Sarpi, Giovanni Marsilio, and the other pro-Venetian writers, but also against those individuals in the Roman Curia who supported the Pope's right in the case of Venice while nevertheless refusing to attribute to the Papacy a whole and complete political, as well as spiritual, dominion. One of these was, once again, Robert Bellarmine, who was one of Peña's *bêtes noires* in Rome. Although the Pope was very much in line with the Spanish jurist's position on the *Interdetto*, and although he also, to an extent, sympathized with Peña's general theoretical view, Paul V and other members of the Roman Curia thought that in the heated phase of the debate, and with Bellarmine and the Jesuit Order under fire from Venice, Peña's contribution was untimely and potentially detrimental to the unity of the Catholic front.³⁶ Thus the Pope did not allow Peña to publish his *Assertio Christi*, which in fact survives only as a manuscript, and delayed the publication of *De universali dominio* until 1611.

The background of the publication of this last text is quite interesting, and it constitutes the last round, so to speak, in the match between Peña and Bellarmine over the nature and scope of the Pope's authority. This round was fought in the context of the debate over the English Oath of Allegiance, promulgated by King James I of England in 1606, after which a great polemical battle ensued. Two of the key texts in the debate were a treatise written by the Scottish jurist William Barclay supporting the Oath, and Bellarmine's response claiming that the Oath was a direct attack to the Pope's spiritual authority. Both Barclay's and Bellarmine's treatises created

³³ "Dominium est ius de re corporali [...] disponendi [...] quia rerum incorporalium non est proprie dominium." *De universali dominio*, BAV, Vat. Lat 7001, fol. 2r.

³⁴ *Ibid.*, fols. 2rff. On the significance of the distinction between *dominium directum* and *dominium utile* in late-medieval debates concerning the relationship between Pope and emperor, which constitutes the background against which Peña's opinions should be considered, see Michael Wilks, *The Problem of Sovereignty in the Later Middle Ages* (Cambridge: Cambridge University Press, 1963), 200-29.

³⁵ On this see also Frajese, "Regno ecclesiastico e stato moderno," 312ff.

³⁶ This is also Frajese's thesis, with which I agree; see "Regno ecclesiastico e stato moderno," 306-8.

quite a stir in early modern Europe. Pope Paul V, worried about the possible consequences of the widening crisis, decided that he needed to seek Peña's advice. The Pope gave Peña a copy of Barclay's treatise and Bellarmine's reply, and asked him to examine them. Peña recognized that the debate had potentially devastating consequences for the future of the Catholic Church, and fell into a violent rage against the author, whom he thought was jeopardizing the authority of the Pope. The enemy identified by Peña, however, was not William Barclay, but Robert Bellarmine.

In sending his response to the Pope, Peña directly pointed to the Jesuit theologian as the source of all the problems: "if this little Christian," Peña affirmed aggressively, "had solid and truly Christian zeal, seeing that after he published his *Controversiae* all the heretics of this century make use of them against the Church and the authority of the Vicar of Christ [...], he should let go of this itch to write a new book every week to defend himself, but he himself should amend his erroneous opinion." If Bellarmine was not willing to do it, then his opinion sooner or later would have to be corrected "with the public authority of the Holy See."³⁷ "Barclay's entire book," Peña continued, "is founded on the doctrine of this good Father [Bellarmine]." Barclay's treatise contained three main arguments: it denied the temporal nature of Christ's kingdom; it denied the temporal nature of the Pope's authority; and it attacked the Catholic theologians who upheld those doctrines. The root of all these arguments could be traced back to Bellarmine's doctrine, and in this latest "*discorso*," Peña continued, "he [Bellarmine] does not say anything against this, but, indeed, he leaves it firm, which is what the heretic could only have wished for."³⁸ For this reason, the Spanish canonist continued, perhaps it was not expedient to print Bellarmine's reply unless the latter decided to modify his own theory, "so that [the reply] could not be turned by the heretics in their own favor by saying that in Rome the opinion which denies Christ's dominion *in temporalibus* is approved or allowed or tacitly consented to."³⁹

Paul V did not think it expedient to censure Bellarmine's treatise after all, because he realized that censuring it meant dividing the Catholic position in a visible and dangerous way. However, the Pope did not think that Peña was completely off the mark either, which is why in 1611 he allowed Peña's treatise *De universali dominio* to be published in Rome with the title *De regno Christi*.

A few concluding remarks

These episodes concerning the Roman career of Francisco Peña are relevant insofar as they are indicative of important developments in the political and religious history of early modern Europe. First, the ups and downs of Peña's Roman career demonstrate how difficult it was at

³⁷ "Beatissimo Padre [...] si questo christianello havesse solido zelo e veramente christiano, vedendo che poi che lui publicò le sue controversie, tutti li heretici di questo secolo se ne servono contra la chiesa et contra l'autorità del vicario di Christo [...] lasciando questo prurito di scrivere ogni settimana un libro per difendersi, dovrebbe [...] emendare da se quella erronea opnion che con publica autorità della S.ta Sede bisognara un giorno correggere." Peña to Pope Paul V, undated but written between September and October 1610, in ASV, Borghese II, 23-24, fol. 125r.

³⁸ "Tutto questo libro di barclaiò esta fondato nella dottrina di questo bon padre [...] da questo fondamento cavato da questo bon padre, seguita poi il suo discorso contra la potestà del papa in temporalibus: e [...] questo bon padre [...] in questo suo discorso non dice cosa alcuna sopra questo articolo, anzi lo lascia fermo, che è quanto poteva desiderare l'heretico." Ibid., fols. 125r-v.

³⁹ "V. S.tà poi considerara, an expediat stamparsi in Roma questa risposta, senza confutare questo articolo, accio non fusse tornato dalli heretici a suo favore dicendo che in Roma con la conniventia et taciturnità viene approvata l'opinion che nega il dominio di Christo in temporalibus." Ibid., fol. 125v.

times for Peña to juggle his double allegiance to the Pope and to the king of Spain.⁴⁰ The reason for this difficulty was that the political and religious interests of the Pope and of the king of Spain did not always coincide, because the very status of the Papal monarchy was, in those years, fluid and multifaceted. During the pontificate of Sixtus V, Peña emerged as a strong defender of the status of the Pope as an absolute sovereign, both politically and theologically. Peña's notion of the Pope as the supreme political and theological authority, however, had significant implications. Concerning politics, Peña's argument implied that the Pope could legitimately ally himself with different political authorities in order to defend the political, and not simply religious, interests of the Catholic Church. From a theological point of view, Peña's understanding of the Papacy as the supreme political and spiritual authority implied not only that the Pope was the ultimate judge in the Church, but also that the main purpose of the Pope's authority was to foster and defend the political and spiritual interests of the Catholic Church at all costs. Thus Peña thought that the Pope had both the right and the duty to maintain a solid and uncompromising theological stance against heresy, disregarding any consideration of political advantage.

The decision made by Clement VIII to pardon Henry IV, though detrimental to Peña's career (and to the Spanish interests), was motivated by the same concerns that Peña had expressed, and indeed was sustained theoretically by Peña's own understanding of the scope of the Pope's spiritual and political authority. Clement VIII in fact decided to side with the French sovereign against Philip II because he thought such an alliance beneficial for the political interests of the Papacy in the context of the European political equilibrium. Furthermore, Clement VIII, like Peña, believed that the Pope was the ultimate judge and theological authority in the Church. He claimed for himself the authority both to excommunicate heretics and to pardon them if, in his eyes, they showed signs of repentance, and if he thought that doing so would benefit the Church.

During the pontificate of Paul V, Peña remained consistent in his staunch support of the political supremacy of the Pope's authority, a position that pitted him once again against Robert Bellarmine together with an influential sector of the Roman Curia, just as it had during the reign of Sixtus V. Paul, like Sixtus, was sympathetic to Peña's pleas because he understood how important Peña's argument was for supporting Papal authority. Unlike Sixtus, however, Paul was not willing to oppose openly Peña's enemies in the Roman Curia because, by the early 1600s, the Pope had found it increasingly difficult to defend his universal spiritual supremacy over Europe, given the political and theological crises of the Venetian *Interdetto* and of the English Oath of Allegiance. The repercussions of these controversies were relevant not only in the cross-confessional conflict, but also and especially within the Catholic European monarchies; what was at stake in these controversies was not simply the theological role of the Pope as the head of the Church, but also the scope and reach of his authority over the entire Catholic world. In this situation, Paul V could not openly oppose Bellarmine because he could not afford to split the unity of the Catholic camp; the Pope, therefore, tried to compromise by supporting Peña in the background, so to speak, and by avoiding taking an open stance against Peña's enemies.

If we put Peña's Roman experience in a wider perspective, we can see, first of all, that Peña's case is exemplary of the complexity of the interconnections between politics and religion in post-Reformation Europe. Throughout his Roman career, Peña remained remarkably consistent in his defense of the Pope's supremacy in both temporal and spiritual matters. Peña also remained consistent in his defense of the interests of the king of Spain over the other European sovereigns.

⁴⁰ On the complex ways in which Spanish churchmen in Rome negotiated their double allegiance to the Spanish sovereign and the Pope, see Dandele, *Spanish Rome*, 141-50.

Yet the implications of Peña's views provoked quite diverging reactions within the Roman Curia. Sixtus' appreciation, Clement's opposition, and Paul's support, cannot be explained simply by invoking the changes in the "national" dynamics of European politics. Rather, the diverging reactions and shifting political equilibrium need to be put in the context of the fluidity and complexity of the theological and political role of the post-Reformation Papacy, a context in which the political authority of the territorial sovereigns was becoming progressively stronger. Post-Tridentine Popes were sovereigns of a territorial state, and as such they were political actors who tried to leverage their political authority against the French or Spanish needs and ambitions, both "national" and "imperial." Even though post-Reformation Popes could and did play the European game of politics just like any other sovereign, they were in point of fact quite unlike all other sovereigns: they were also emperors of souls, and in this respect the jurisdiction and reach of their empire superseded and indeed transcended national and imperial political boundaries. As Peña's case makes clear, this double nature of the Papacy substantially affected the religious and political history of the Catholic monarchies: it would be impossible to understand fully the political and theoretical debates during the reign of Henry IV of France or the nature and implications of the Spanish imperial policy without taking the double nature of the Papacy into account, above and beyond the cross-confessional battle between Catholics and Protestants. Finally, a focus on the multiple and at times conflicting identities of Francisco Peña—at once a Spanish political agent, a student of canon law, an official member of the administration of the Curia, and an ultra-Papalist theologian—helps us to magnify the many multidimensional identities of Post-Reformation Rome. For Rome was at once the heir of its ancient imperial past and a distinctively modern experiment in intellectual hegemony, the capital of the Papal state and the center of a transnational and spiritual empire of souls, the See of Saint Peter's successors and the theater of the world.

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